

HAYWARD CITY COUNCIL

RESOLUTION NO. 19-

Introduced by Council Member _____

RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE THE
FOURTH AMENDMENT TO THE JOINT EXERCISE OF POWERS
AGREEMENT OF THE EAST BAY DISCHARGERS AUTHORITY

WHEREAS, the East Bay Dischargers Authority (“EBDA”) is a Joint Powers Authority of which the City of Hayward is currently a member; and

WHEREAS, EBDA was formed in 1974 by a Joint Exercise of Powers Agreement (“JPA”) entered into by the City of Hayward, City of San Leandro, Oro Loma Sanitary District, Union Sanitary District, and Castro Valley Sanitary District (each a “Member Agency”); and

WHEREAS, EBDA provides a transport system and outfall to collect wastewater effluent from its Member Agencies in the East Bay, treats the collected wastewater to remove chlorine and any associated toxicity, and provides sufficient dilution so that water discharged into the San Francisco Bay presents no harm to water quality; and

WHEREAS, the JPA has been amended and supplemented at various times since its adoption, most recently on February 15, 2007; and

WHEREAS, the term of the JPA extends through January 1, 2020; and

WHEREAS, the Authority’s Member Agencies have negotiated an Amended and Restated Joint Exercise of Powers Agreement that will take effect on July 1, 2020 to coincide with the beginning of the fiscal year; and

WHEREAS, the Member Agencies wish to extend the current JPA through June 30, 2020, to prevent a lapse in the agreement; and

WHEREAS, the Commission of the East Bay Dischargers Authority approved this Fourth Amendment to the JPA on October 29, 2019.

NOW, THEREFORE, BE IT RESOLVED, that, the City Council of the City of Hayward hereby approves the Fourth Amendment to the Joint Exercise of Powers Agreement of the East Bay Dischargers Authority.

BE IT FURTHER RESOLVED, that, the City Council of the City of Hayward hereby authorizes the City Manager to execute the Fourth Amendment to the Joint Exercise of Powers Agreement of the East Bay Dischargers Authority for and on behalf of the City of Hayward, in a form approved by the City Attorney.

ADOPTED BY THE FOLLOWING VOTE:

AYES: COUNCIL MEMBERS:
 MAYOR:

NOES: COUNCIL MEMBERS:

ABSTAIN: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

ATTEST: _____
 City Clerk of the City of Hayward

APPROVED AS TO FORM:

City Attorney of the City of Hayward